

**PLACER COUNTY
AIR POLLUTION CONTROL DISTRICT**

STAFF REPORT

RULE 234

AUTOMOTIVE REFINISHING OPERATIONS

PROPOSED RULE AMENDMENTS

July 7, 2010

Deleted: July 15, 2010

BACKGROUND

Rule 234, AUTOMOTIVE REFINISHING OPERATIONS, limits the volatile organic compound (VOC) emissions from automotive refinishing operations in the Placer County Air Pollution Control District (District). The rule was last amended by the District on April 9, 1998.

The District is proposing amendments to Rule 234 based on a "Suggested Control Measure for Automotive Coatings" (SCM) issued on October 20, 2005 by the California Air Resources Board. The SCM provides VOC limits for coating categories that are more stringent than those in current Rule 234. The SCM is intended for Districts, like Placer County, which need VOC emission reductions for attainment of State and Federal ozone standards. The SCM is considered Best Available Retrofit Control Technology, which is part of the District's plan to meet ozone reduction requirements as required under California Health and Safety Code Section 40919; and meets the District's requirement under California Health and Safety Code Section 40914 to implement "every feasible measure".

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The amendment also addresses the National Emission Standard for Hazardous Air Pollutant (NESHAP) for Paint Stripping and Miscellaneous Surface Coating (Subpart HHHHHH), promulgated by the U.S. Environmental Protection Agency on July 9, 2008.

This Staff Report addresses amendments that are proposed to Rule 234 based on the SCM and NESHAP.

The SCM has been, or is currently being, adopted by the following local air districts:

- Yolo-Solano : Rule 2.26, revised 12/08
- San Joaquin : Rule 4612, revised 09/07
- Sacramento : Rule 459, last revised 10/97, currently under revision
- Bay Area : Regulation 8, Rule 45, revised 12/08

There are twenty-eight (28) separate automotive refinishing shops operations, under twenty-six (26) separate owners, that operate and are affected by Rule 234 and its proposed revision.

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DISCUSSION

Proposed amendments to the Rule were made based on the SCM and NESHAP. Rule amendments, in underline/strikeout format, are shown in Attachment #1. Specific changes to the Rule include:

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Section 100. General

Section 103. Severability. A provision has been added that retains rule requirements if part is determined to be invalid.

Section 104 – 107, 110. Exemptions. Exemptions for touchup, graphic design, military vehicles, and radiators, and small production/utility bodies, have been deleted.

Section 105 and 106. Exemptions. Exemptions have been added for small quantity users (<0.5 ounce containers), and assembly line operations.

Section 200. Definitions

Changes to definitions are made based on coating categories reclassifications:

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Definitions that were eliminated include: Antiglare/safety coating, Camouflage coating, Finishing, Grams of VOC per liter of coating excluding waste and exempt compounds, Grams of VOC per liter of material, Ground support equipment, Group I vehicles, Group II vehicles, Large/heavy duty truck, Light and medium duty truck or van, Multi-stage topcoat system, Pre-coat, Primer sufacer, Refinishing, Specialty coating, Topcoat, Touchup, Utility body

Definitions that have been added include: Assembly line, Associated parts and components, Automotive coating, Automotive coating components, Automotive refinishing facility, Clear coating, Color coating, Emission control system, Motor vehicle, Multi-color coating, Single-stage coating, Solvent, Spot repair, Tuck bed liner coating, Underbody coating, Uniform finish coating

Section 300. Standards

Section 301. VOC Content Limits. VOC coating categories and limits in the current Rule have been removed, and replaced with VOC coating categories and limits from the SCM.

Section 302. Most Restrictive VOC Limits. A provision has been added which requires compliance with the lowest VOC limit if multiple category limits are applicable.

Section 302. Operation and Maintenance Plan. This section has been moved under Section 304.

Section 303. Application Requirements. This sections title has been changed from Transfer Efficiency to Application Requirements. Application methods which have been added, or modified, include: brush, dip, roller, spray guns that meet high volume low pressure, and any other method that is demonstrated and approved to provide equivalent transfer efficiency to those listed. The requirement for alternative application methods to have transfer efficiency of at least 65% has been removed.

Section 304. Emission Control System. The allowance for use of a VOC control system as an alternative to coating content limits was moved to this new location.

Section 305. Solvent Limits and Evaporative Loss Minimization. This sections title has been changed from Surface Preparation and Solvent Loss Minimization. Provisions have been added and clarified for work practices to minimize evaporation loss. The solvent cleaning VOC content limit has been changed to 25 g/l, with an exception for bug and tar remover with a limit of 350 g/l which is based on that allowed under California Consumer Products Regulation (California Code of Regulations Section 94507 et seq.).

Section 305, 306, and 307. Provisions have been deleted for usage limits for specialty coatings, temporary protective coatings, and pre-coat.

Section 306. Toxic Air Contaminant. A provision has been added which restricts the use of coating which contain cadmium or hexavalent chromium. This is consistent with existing State law.

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Section 400. Administrative Requirements

Section 401. Prohibition of Possession. A new provision has been added prohibiting possession of non-compliant products at the automotive facility.

Section 405. Labeling. A new provision has been added for labeling requirements.

Section 500. Monitoring and Records

Section 503. Sales Records. New record keeping requirements have been added for sales transactions.

Section 505. Burden of Proof. A new provision has been added for recordkeeping requirements for exempt sources.

Section 506. Maintenance of Records. A new section has been added requiring the reporting requirements to be retained for 3 years, or 5 years for sources subject to Rule 507.

Section 507. Test Methods. Reference has been added to numerous additional test methods, and minor changes made to references of methods in current Rule.

Miscellaneous

Additional miscellaneous changes were made for readability and conformance with the SCM which have no impact on the compliance requirements of the Rule.

FINDINGS

- A. **Necessity:** The adoption of proposed amended Rule 234 satisfies the objective of the District to implement "Suggested Control Measures" for the reduction of VOCs to achieve attainment with ambient air standards for ozone, and meets the District's requirements to implement "every feasible measure" and "Best Available Retrofit Control Technology" as required under California Health and Safety Code Sections 40919 and 40914.
- B. **Authority:** California Health and Safety Code, Sections 40000, 40001, 40701, 40702, and 40716 are provisions of law that provide the District with the authority to adopt this proposed rule.
- C. **Clarity:** There is no indication, at this time, that the proposed Rule is written in such a manner that persons affected by the Rule cannot easily understand them.
- D. **Consistency:** The regulation is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations.
- E. **Non-duplication:** The regulation does not impose the same requirements as an existing state or federal regulation.
- F. **Reference:** All statutes, court decisions, and other provisions of law used by the District in interpreting this regulation are incorporated into this analysis and this finding by reference.

SUMMARY

Rule 234, AUTOMOTIVE REFINISHING OPERATIONS, has been amended to address the "Suggested Control Measure for Automotive Coatings" which was issued on October 20, 2005 by the California Air Resources Board.